

JENNIFER SIEBERT,)
)
Plaintiff,)
)
v.) Case No. 4:11 CV1330 CDP
)
MICHAEL J. ASTRUE,)
)
Defendant.)


This matter is before me on plaintiff's motion for attorney's fees and costs pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412. Although plaintiff originally sought fees in the amount of \$5,507.05, the parties have now agreed to an award of EAJA fees in the amount of \$5,235.00.

On September 21, 2012, I reversed the decision of the Commissioner and remanded the case to the Commissioner under sentence four of 42 U.S.C. § 405(g) for further consideration. Because plaintiff prevailed and is not otherwise precluded from recovering attorney's fees and costs, I find plaintiff¹ is entitled to an award in the amount requested.

¹The fees are payable to plaintiff, not plaintiff's attorney. See Astrue v. Ratliff, 130 S. Ct. 2521, 2524 (2010).

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for attorney's fees
[#25] is granted only to the following extent: defendant shall pay plaintiff
\$5,235.00 in attorney's fees.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 3rd day of January, 2013.